

***United States Court of Appeals  
for the Second Circuit***



**APPELLANT'S  
BRIEF &  
APPENDIX**



NOTICE OF ENTRY

Sir: - Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on Feb 25, 1975

Dated,

Yours, etc.,

Attorney for

Office and Post Office Address

To

Attorney(s) for Prose

NOTICE OF SETTLEMENT

Sir: - Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on the day of 19

at M.

Dated,

Yours, etc.,

Attorney for

Office and Post Office Address

To

Attorney(s) for

Index No. 75-7054

Year 19 75

Nathaniel Cooper  
vs  
Doyle's O'Glesby  
Steven Davis  
Mrs Codsool  
Department of  
Social Service  
Corporation Counselor  
State of New York  
County of New York

Attorney for

Office and Post Office Address, Telephone

Prose 4981624  
372 Miller Ave Brooklyn

To

Attorney(s) for

Defendants Thomas Burchill

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

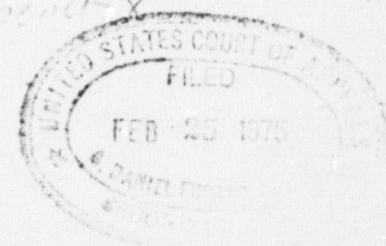
75-7054

B

P/S

Brief and

Appendix



PAGINATION AS IN ORIGINAL COPY



11-8 4/25/75

United States Court  
for the Second Circuit

Proof of Service

Nathaniel Cooper  
vs  
Boyle O'Ghesby  
Steven Davis  
Mrs Codsoul  
Department of Social  
Service Corporation Counselor

75-7054  
District Docket  
73 civil 2915  
2 Docket and Record on appeal  
Rule 76 and Rule 73 part G  
Record on appeal to a Court  
of appeals; Statement of Points  
as amended Dec 27, 1946 effective  
March 19, 1948  
73 as amended Dec 27, 1946 effective  
March 19, 1948

State of New York  
County of New York

Nathaniel Cooper being duly sworn according to Law  
deposes and says  
that he has upon this day cause to be served upon  
respondent here in true copies of all paper submitted  
to this honorable Court and Respondent by  
placing same in the hands of a duly authorized  
agent of Corporation Counsel

Addressed as Follows

Brief on Behalf of Appellants  
Nathaniel Cooper on appeal  
From the United States District Court  
For the Southern District of New York

Sworn To me This 21 day of

1975  
Notary Seal

IDA SCHENKMAN  
Notary Public, State of New York  
No. 24-2486430  
Qualified in Kings County  
Cert. Filed in New York County  
Commission Expires March 30, 1975

Respectfully Submitted  
x Nathaniel Cooper  
372 Miller Ave Brooklyn  
N.Y. 11207

UNITED STATES COURT  
OF APPEALS FOR THE SECOND CIRCUIT

Principal and agent 8

227(1)

Master and Servant

~~302(2)~~ 302(2)

Nathaniel Cooper

VS

Doyle Oglesby

Steven Davis

Department of Social  
Service Corporation Counselor

State of New York  
County of New York

194 Case 73 Civil 2915

Social Security Act

§406(a) 401, 42 USC §§ 601

606(a) The Conduct of  
Social Service

Conflicted with Social  
Security Act

Civil Right Violation

13.7 For Liability  
of State official as

13.8(3) individuals Municipalities and Counties and  
their officers

Sueing For  
Compensation and Return  
of money Replevin and Conversion

Please Take Notice That Nathaniel Cooper The Petitioner Named here in well Move This Court on

The Final Quarter of My Time To Final answer To The Separation of My Case By  
Hon. Judge Bonsal. on Dec 6, 1974.

1 Preliminary Statement 1 Corporation Counselor and city of New York. were permitted to come in on a Granting of The Judge as Default could have been used against Them. Statement of fact.



The Fact of the Record of Nathaniel Cooper  
e shown in There of Facts of Violation  
Civil Rights and Brutalitie and  
bbery. head pain For two years.

Reward or Payment made for attempt  
rder. and Robbery. and De~~nt~~ention 1343  
Production Fact Showing Principle and

ster and Servent Superior Respondent  
Violations of Full department of

afare and by Comantroller Taken  
Responsible (Tiy of The act of Davies

6) Lesby and Codsaul The Supervisor  
ade promise That They Never Keep The  
liff Move for ~~trial~~ Trial on March 1 I believe  
as continued delay of Counscal and  
gal matter.

ack ground. assault Robbery  
ns Piracy 42 U.S.C. 1985 (3) Equal protection  
aw. 42 U.S.C. 1981 Korylas v. U.S.  
pt. of agriculture 373 F. Supp. 1072.

4 The Defendants, They have Duckt  
around. and Just about hide from  
the investigation of Plaintiff, none have  
answer in person Far<sup>2</sup> There Conspiracy  
but a legal Request were made by Plaintiff  
of Feb 13, 1973 and Dec, 26, 1972. I Submitted  
Legal Request To have Department of  
Social Service To notifie me on the Date  
of such Department hearing of the Great  
Beating Plaintiff Nathan Cooper Receive  
on afternoon of Dec 19, 1972. But Plaintiff did receive  
notice from Dept. of Human Services administration,  
stating fact The Court should have Submitted  
to the appeals Court That No Request were  
Made for one Steven Davis To make  
Report to investigation Department. The Report  
made oneglesby was sent to me a copy. The  
copy of Dept. Rulings on him were That he Refuse To  
come answer there hear on Brutalitie of  
Wrongfull assault. and Conspiracy 42 U.S.C. A  
1985 (3) Equal protection of The Law. (42 U.S.C. 1981  
Korylas v. U.S. Dept. of agriculture. It is high Time  
The Three Defendants be made To answer  
the Charges Brought on appeal  
before This Court.



if The Comptroller offices is made liable Through  
No personal GUILT but is made Liable Through  
Relationship and no Participating GUILT The Comptroll  
er May Collect The Whole amount it had To Pay out  
on Equitable Principle of indemnification Trustees  
etc V. Foster 81 hun 147. D.C. N.Y. <sup>1974</sup> ~~13.1(3)~~ where primary  
Responsibility for defective ball joint in automobile Tie rod  
assembly belonged To automobile manufacturer and  
automobile dealer's degree of fault was mainly minimal  
in That dealer Could not have discovered The Defect  
and did Nothing To Create it, dealer was entitled To Full  
indemnification Over and against manufacturer  
With Respect To judgment obtained against dealer  
for injuries sustained in collision caused by The  
The defective ball joint — Langford v. Chrysler Motors  
Corp. 373 F Supp 1251.

6 Principal Pointes of Comptroller argument is  
That I should have Sued Them in State Court I  
have The Right To Sue in The Court Which Covers  
The Violation at hand in This Case There are many  
Constitutional violation. and The Claim I posses  
Does NOT State on Which Court I shall Sue  
Them in. it states all Claim against City shall be  
File With Comptroller of City of New York Chamber  
and Center Street. 210007 Municipal Building D.C. Pa 1974  
in enacting statute governing deprivation of Civil rights  
Congress meant To give a remedy To parties deprived of  
Constitutional Rights privileges and immunities by an officials  
abuse of his position or discretionary powers 42 USC a  
§ 1983 ~~set~~ Brown v. Wilson 373 F. Supp 1045

So the Order of Hon Judge Bonsal District  
Judge for Southern District of New York should  
Be Reverse as The Claim I have in My possess  
ion state that all Claims against The City shall be  
File with Comptroller. It ~~Does~~ not state which  
Court I should sue in. It does state that it covers  
all claims for personal Damages made by city  
Vehicals and employees and it Does give notice  
That Comptroller being The head of a municipal  
atie is The head Dept. of city UNIT as a city Body  
So Base on The Claim I posses against city of  
New York The hon Judge Order should Be Reverse  
as The Supervicer of Dept of Social welfare  
did promise To give welfare on my Return  
with Letter Stating My income would Be Redust  
To \$93 per week This Promise were never keep  
more did she miss Codsoul notifie me Through  
mail That My case were Granted so I could  
Pay my Rent of \$3500 per month and Study at my  
school I were in at The Time of Dec. 1972. I intend  
To get action Base on city Promise in its Statement  
in Claim I have. So For They have attemp To not  
Even pay The \$500.00 in Docter Bills The Bureau  
of Law and a Justment and investigation have Fail To  
Seattal or attemp To settial This case so The  
Petitioner here in Motion The Second Circuit To  
Order That The Comptroller be sued along with  
Supervicer Codsoul and Steven Davis and Doyle  
OG Lesby. Thank you. Order Reverse Base on  
Commitment made in personal injury claim.



The District Court have The original  
Jurisdiction of The deprivation of any right or  
Privilege of a citizen of The United State by any act done  
in furtherance of any Conspiracy mentioned in section  
1985 of Title 42 Civil Rights 13.7 For Liability of State  
Official - as of Title 42 Civil Right 1988 and 1871  
Statute giving civil action for deprivation of Right  
Require ment That he must him Self have committed  
The specific wrongful acts when Supervisor personally  
directs subordinate To Commit acts or has actual  
Knowledge of Their acts and acquiesces in Them he is  
personally involved and is liable for his own Conduct  
Not on basis of Respondent Superior but because of  
Direct Personal involvement such as The supervisor  
Cord Soul in The Case of One Nathaniel Cooper 42  
U.S.C.A. 1983: 50 PS Pa. § 1102(2) 4202(a) 11 PS Pa. § 66 all  
so why is There any confusion about Principal and Agent  
There is little difference between Their Liability and That of  
Natural persons Corporations Clifford v. Press Pub Co. 78 app Div. 79 fraud  
Malicious Prosecution False imprisonment and defamation  
and The Law also recognizes That a corporation may be a  
Conspirator Corrigan v. Bobbs Merrill 228 NY 58126 NE 260  
Fish Kill Savings Inst. v. Bank 80 NY 162 Buffalo etc Cog v.  
Standard Oil 106 NY 669 Lynch v. Met. ET Ry. 90 NY 97  
Garrison v. Son 207 NY 604 Willard v. Holmes 142 NY  
492 37 NE 480) a corporation will even be held guilty  
Under present day Law For Express malice (hatred  
ill will or Vindictiveness leading To and Express intent  
To Commit injury upon plaintiff

Base on The Facts That The City of New York  
have Consented on 4/17/73 To being Sued by mailing  
Plaintiff Three Copy of a Claim For personal injury  
IT has been Read in To The Record on arguement on  
November 11, 74 IT State as follows all Claims against  
The City shall be file with The comptroller For  
Damages made by city vehicles or imployees  
The Claim one Nathaniel Cooper possisess does ~~not~~  
NOT say I Need File in The State Court or Federal  
Court so Plaintiff is of That opionon he has The  
Constitutional Right To File his Claim in any  
Court That is proper in This Case Plaintiff  
Believe This Constitutional Right were violated  
by Denieing Plaintiff into a public Build and by  
Refusing To give Due prosses of The Letter put  
Before The Case warker on Dec 19, 72 she  
Refuse To answer Plaintiff Then one minute  
Later Plaintiff were ask To Come with officer  
Oglesby To be all MOST Kill From the assault  
yes indeed, Base on The Fact That Oglesby  
and Davis and Supervicer Cod soul were  
acting in The Name of The State and For The  
State and is cloth with The Power of The State  
Then There acts were That indeed That of  
The State. D.C.D.C. 1974 Statute prohibiting Racial  
discrimination applies To Federal government. 42 U.S.C.  
A. § 1981 Kurylasv. U.S. Dept of agriculture



7 Substantive Testimony as to The assault and  
Proof of Papers and bills Submitted To The Court.  
Plaintiff Should Stand in position To win  
Summary Judgment against Comptroller  
and Supervisor ~~her~~ never keep her promise ~~and~~ did  
case work attempt To Look at Letter I put be  
For her on The after noon of Dec 19, 72 A.D. and  
as to The Robbery and The District Judge has proof  
The Court must understand The Corporation Counselor  
Take full Responsibility as to The act of The Two men  
For - These more The City motion for trial on and about 1/21/75  
check, as plaintiff motion for Trial March 1974, so I  
Request The Second Circuit give notice To The fact  
that Oglesby and Davis and Supervisor Codsool have  
in deed Violated Many human Right, and Reverse The  
order of Dec 6, 74 of Hon Judge Bonsal as at This Time  
The City of New York have as of Jan 21, 75 submitted  
affidavits on Plaintiff Jan 21, 75 That they were  
Take full Responsibility. Principal and agent ~~is~~ Agency  
Relationship is dependent on agreement of parties Regarding when  
agent will act for Principal. Ever Person named in Plaintiff  
Complaint, have been sue herein and 138 (3) D.C. Ill. 1974 an  
action for equitable relief and Real Damage To person or  
property may be maintained against a municipality under  
The 14 amendment U.S.C.A. Const Amend. 14 - City of Highland  
Park v. Train, 374 F Supp. 758. and all The Papers before The  
Court of appeal have held The Comptroller Responsible  
as The Claim State Notarys 4/20/73 I can submit To The  
Court of appeal and medical Bill on Request. thank  
you #

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
:  
NATHANIEL COOPER, :

Plaintiff, :

-against- :

GUARD: DOYLE OGLESBY, Department of  
Social Services; City of New York; :  
Corporation Counselor, Municipal Building; :  
Steven Davis, Guard, Department of Social :  
Services; and Mrs. Cudsoul, Supervisor at :  
Department of Social Services, 330 Jay St., :  
Brooklyn, New York, :

Defendants. :  
:  
----- x

41522  
Memorandum  
73 Civ. 2915

MEMORANDUM

BONSAL, D. J.

Plaintiff, pro se, commenced this civil rights action under 42 U.S.C. §1983 and 28 U.S.C. §1343 for recovery of compensatory and punitive damages against Doyle Oglesby, a guard for the Department of Social Services until approximately March 1973, the Department of Social Services ("DSS"), the City of New York, and the "Corporation Counselor, Municipal Building." The City of New York, DSS and the Corporation Counsel move to dismiss the complaint pursuant to F.R.Civ.P. 12 or, in the alternative, for summary judgment pursuant to F.R.Civ.P. 56.



At argument on this motion on November 11, 1974, the Court granted plaintiff's motion to treat the complaint as amended to include as defendants Mrs. Cudsoul, the supervisor at the DSS office, 330 Jay Street, Brooklyn, and Guard Steven Davis. Defendants' motion shall apply with equal force to the complaint as amended as aforesaid.

The Court has considered plaintiff's deposition upon oral examination taken on October 18, 1974 and the affidavits submitted by the parties. The Court finds no material issues of fact exist as to the City, DSS, the Corporation Counsel and Mrs. Cudsoul.

From the papers submitted, it appears that plaintiff alleges that on December 19, 1972, while he was at the "Medicade Building" at 330 Jay Street, Brooklyn, for the purpose of discussing his welfare status, he was beaten without just cause, robbed and falsely arrested by Guards Oglesby and Davis. Plaintiff alleges that he was hit on the head with a night stick, rendering him unconscious and causing him to suffer five stitches in his left forehead. Plaintiff further alleges that while he was in handcuffs he was hit in the nose and mouth by Guard Davis, requiring him to undergo dental work and causing him pain and suffering. Finally, plaintiff alleges that he was robbed of \$10.00 and eight subway tokens. Plaintiff appears to seek compensatory and punitive damages in the amount of \$50,000.00.

Turning to defendants' motion, plaintiff's claims for damages under 42 U.S.C. §1983 against the City of New York, DSS and the Corporation Counsel must fail because this Court has no subject-matter jurisdiction. Neither a municipality nor its governmental agencies are "person[s]" within the meaning of section 1983. Monroe v. Pape, 365 U.S. 167 (1961); Zuckerman v. Appellate Division, Second Department, Supreme Court of the State of New York, 421 F.2d 625 (2d Cir. 1970).

Plaintiff contends that the defendants are liable under the doctrine of respondeat superior for the acts of the Guards Oglesby and Davis. However, the rule in this circuit is that where monetary damages are sought under section 1983, the general doctrine of respondeat superior does not suffice and a showing of some personal responsibility of the defendant is required. Johnson v. Glick, 481 F.2d 1028, 1034 (2d Cir. 1973). Plaintiff's deposition shows no personal responsibility on the part of any of the defendants except Guards Oglesby and Davis. Moreover, plaintiff does not allege any actions by Mrs. Cudsoul which deprived him or caused him to be deprived of his civil rights. See Johnson v. Glick, supra, and cases cited therein. Plaintiff therefore fails to assert any cognizable federal claim against her.

Accordingly, the motion for summary judgment as to the City of New York, DSS, the Corporation Counsel and Mrs. Cudsoul



must be granted.

Neither Guard Oglesby nor Guard Davis has appeared in this action, and the file does not indicate that they have been served. See F.R.Civ.P. 4(c). The United States Marshal is directed to effect service of the summons and complaint on Guards Oglesby and Davis at their last known address, to be furnished by the Department of Social Services.

Settle order on notice.

Dated: New York, N. Y.  
December 6, 1974.

DUDLEY B. BONSAI

---

U. S. D. J.

CIVIL DOCKET  
UNITED STATES DISTRICT COURT

JUDGE DONALD

Jury demand date:

*Lo-De*  
**73 CIV. 2915**

D. C. Form No. 106 Rev.

TITLE OF CASE

ATTORNEYS

NATHANIEL COOPER

VS.

GUARD DOYLE, OGLESBY  
PT 1 DSS 7th Division  
CORPORATION COUNSELOR, ROOM 1503  
MUNICIPAL BUILDING, N.Y.C. N.Y. 10007  
MRS. CUDSOUL, SUPVR. at DSS office  
GUARD STEVEN DAVIS.

For plaintiff:

NATHANIEL COOPER  
372 Miller Avenue,  
Brooklyn, N.Y. 11207

For defendant:

NORMAN REDLICH  
CORPORATION COUNSEL  
MUNICIPAL BUILDING, N.Y.C. 10007

STATISTICAL RECORD

COSTS

DATE

NAME OR  
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed ☒

Clerk

7-2-73  
2323

*N Cooper*

15

15

J.S. 6 mailed

Marshal

Basis of Action:  
CIVIL RIGHTS.

Docket fee

Witness fees

Action arose at:

Depositions



DATE	PROCEEDINGS	Date Other Judgments
Jul 2-73	Filed Complaint. Issued Summons.	
Jul. 9, 73	Filed Order appointing Carlace Enoch to serve summons and comp. , Clerk .	
Jul. 9, 73	Filed summons <del>subpoena</del> With ret. served Jul. 9, 73.	
Aug. 1-73	Served Corporation Counsel, City of NY by Carlace Enoch on Jul 9, 73.	
Aug. 8-73	Filed Deft. The City of NY and Norman Redlich's ANSWER.	
Nov. 21-73	Filed Deft's Notice of Motion at time and place to be fixed by Court for ext. of time to answer.	
Nov. 21-73	Filed Memo-endorsed on deft's motion filed 8-8-73: deft. the City of New York & Norman Redlich Corporation Counsel, having filed an answer on 8-2-73, plttf's motion for a default judgment or summary judgment is denied. & deft's motion fro an order extending time to answer to 8-2-73 is granted. So ordered. Bonsal, J.	
Jul. 22/74	Filed notice of motion of plttf. re: appointment of counsel ret: 7/31/74.	
Sep. 23-74	Filed plttf's affidavit & notice of motion for civil rights.	
Nov. 6-74	Filed Deft. NY City Affdvt & Notice of Motion for an order dismissing complaint or in alternative summary judgment ret. 11/11/74.	
Nov. 6-74	Filed Deft. NY City Memorandum of Law.	
Nov. 6-74	Filed Deposition of Plttf. (mm)	
Dec. 6-74	Filed MEMORANDUM #41532: Motion for summary judgment as to the City of New York, DSS, the Corporation Counsel & Mrs. Cudsoul must be granted. Neither Guard Oglesby nor Guard Davis has appeared in this action, file does not indicate that they have been served. U.S. Marshal is directed to effect service of the summons & complaint on Guards Oglesby & Davis at their last known address, to be furnished by the Department of Social Services. Settle order on notice. Bonsal, J. m/n	
Dec. 19-74	Filed plttf's attachment to complaint .	
Dec. 31-74	Filed plaintiff's notice of appeal from decision and order judgment as to certain defendants dated Dec. 6-74. m/n to Corp Counsel of New York.	
Jan. 13-75	Filed additional summons with marshals return: Doyle Oglesby by J.R. Davis Steven Davis by Mrs Davis (Wife) Unable to serve Mrs. Codsoul, Dept. of Social Service.	Served. on 12-21-74. on 12-30-74
Jan 21-75	Filed plaintiff's motion, dated Aug. 3-73, to dismiss Saul Bernstein and Norman Redlich as parties to answer complaint.	
Jan 21-75	Filed plaintiff's motion, dated Aug. 3-73, for production of documents under Rule 34 of FRCP.	
Jan 21-75	Filed plaintiff's motion, dated Aug. 3-73, regarding certain historical facts of power of government.	
Jan 21-75	Filed plaintiff's show cause, dated Feb. 7-74, for deprivation of rights under 42 U.S.C. 1983.	
Jan 21-75	Filed plaintiff's notice of motion, dated Feb. 11-74, for appointment of counsel.	
Jan 21-75	Filed plaintiff's Notice of motion, dated Feb. 13-74, to dismiss defendants' affidavit in support of motion to dismiss complaint.	
Jan 21-75	Filed plaintiff's notice of motion, dated Mar. 1-74, for cost of damages and for attorney fees.	
Jan 21-75	Filed plaintiff's notice of motion, dated Mar. 13-74, for jury trial.	
Jan 21-75	Filed plaintiff's affidavit, dated Sept. 22-74, in support of motions submitted.	
Jan 21-75	Filed plaintiff's Affidavit, dated Oct. 7-74, for medical costs.	
Jan 21-75	Filed plaintiff's Notice of motion, dated Oct. 20-74, for deprivation of plaintiff's civil rights.	
Jan 21-75	Filed plaintiff's notice of motion, dated Nov. 8-74, for civil rights violation and liability of state official as individuals and their officers.	
Jan 21-75	Filed plaintiff's notice of motion, dated Nov. 20-74, to amend the summary motion for plaintiff to review conspiracy of state officials.	

73 civ. 2915 DBB

DATE	PROCEEDINGS	Date of Judgment
Jan 21-75	Filed plaintiff's notice, dated January 16-75, requesting that U.S. govt. agent be given 30 days rather than 60 to answer complaint.	
Jan. 21-75	Filed ANSWER to complaint by S.G. Davis & D.Oglesby.	
Jan. 22-75	Filed notice that record on appeal has been certified & transmitted to the USCA on this 22nd day of January, 1975.	
Jan. 24-75	Filed notice that supplemental record on appeal has been certified & transmitted to the USCA on this 24th day of January, 1975.	



STATE OF NEW YORK, COUNTY OF

ss.:

The undersigned, an attorney admitted to practice in the courts of New York State,

☐ Certification By Attorney certifies that the within has been compared by the undersigned with the original and found to be a true and complete copy.  
☐ Attorney's Affirmation shows: deponent is

Check Applicable Box

the attorney(s) of record for in the within action; deponent has read the foregoing and knows the contents thereof; the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. This verification is made by deponent and not by

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.  
 Dated:

Nathaniel Cooper  
 The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF New York

ss.:

☐ Individual Verification

☐ Corporate Verification

Check Applicable Box

the foregoing deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters deponent believes it to be true.  
 the of corporation, in the within action; deponent has read the and knows the contents thereof; the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true. This verification is made by deponent because is a corporation and deponent is an officer thereof.

The grounds of deponent's belief as to all matters not stated upon deponent's knowledge are as follows:

Sworn to before me on

19

Nathaniel Cooper  
 The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

ss.:

is over 18 years of age and resides at

being duly sworn, deposes and says: deponent is not a party to the action,

☐ Affidavit of Service By Mail

On 19 deponent served the within upon attorney(s) for

in this action, at

the address designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in — a post office — official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

☐ Affidavit of Personal Service

On 19 at deponent served the within upon

herein, by delivering a true copy thereof to h personally. Deponent knew the person so served to be the person mentioned and described in said papers as the therein.

Sworn to before me on

19

The name signed must be printed beneath